

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, *et al.*,

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Plaintiffs,

V.

Case No. 3:21-cv-00259
[Lead Case]

GREG ABBOTT, *et al.*,

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Defendants.

UNITED STATES OF AMERICA,

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Plaintiff,

V.

Case No. 3:21-cv-00299
[Consolidated Case]

STATE OF TEXAS, *et al.*,

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Defendants.

**NOTICE REGARDING LEGISLATORS' PENDING REQUEST FOR
AN ADMINISTRATIVE STAY PENDING RULING ON
LEGISLATORS' MOTIONS TO QUASH**

The United States and the private plaintiffs in these consolidated suits subpoenaed Texas House Members Ryan Guillen, Brooks Landgraf, and John Lujan for depositions to occur on May 24 and May 25, 2022.¹ The legislators have moved to quash the deposition subpoenas. *See* Mot. to Quash United States' Subpoenas, ECF 259; Reply in support of Mot. to Quash United States' Subpoenas, ECF 277; Mot. to Quash Plaintiffs' Subpoenas, ECF 278. The legislators file this notice to alert the Court to their pending request for interim relief while the motions to quash are pending, which the legislators requested as part of the pending motions.

¹ The United States and private plaintiffs initially noticed Rep. Guillen's deposition for May 19, 2022. ECF 259-1 (Guillen subpoena). They have since served a revised deposition subpoena for May 24, 2022.

The legislators' motions request an administrative stay from the Court to postpone the depositions to give adequate time for the parties to complete briefing on the motion regarding the private plaintiffs' subpoenas and to give adequate time for the Court to consider and decide the important issues presented in the motions once briefed. ECF 277 at 2-3; ECF 278 at 4. The United States and private plaintiffs have taken the extraordinary position that depositions of legislators must proceed on May 24 and May 25, 2022, even if there is no ruling from the Court. *See* ECF 277-1 (5/10/22 email from D. Freeman); ECF 277-2 (5/12/22 email from T. Meehan). Counsel for the legislators tried repeatedly to reach an agreement with the United States and private plaintiffs to postpone the depositions until the parties have the benefit of the Court's ruling, thereby avoiding imposing unnecessary burden or costs to the third-party subpoena recipients. *See* ECF 277-1 (5/9/22 email from T. Meehan; 5/11/22 email from T. Meehan); ECF 277-2 (5/12/22 email from T. Meehan); *see* Fed. R. Civ. P. 45(d)(1). The United States and plaintiffs have stated they will not postpone the depositions, absent interim relief from this Court. Accordingly, the legislators seek interim relief from this Court postponing the depositions until they are fully briefed and this Court has an adequate opportunity to fully consider and decide the two related motions to quash. *See, e.g., MetroPCS v. Thomas*, 327 F.R.D. 600, 616 (N.D. Tex. 2018) (discussing stay of deposition subpoena pending decision on deponent's motion to quash).

Date: May 17, 2022

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on May 17, 2022, and that all counsel of record were served by CM/ECF.

/s/ Taylor A.R. Meehan

TAYLOR A.R. MEEHAN